

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Eleanor Guarino, et ux.

Plaintiff,

vs.

WYETH, INC. et al.

Defendants.

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Civil Action No:
05 - 11437 RCL

**PROOF OF SERVICE OF PROCESS UPON DEFENDANT WYETH INC. AND
WYETH PHARMACEUTICALS, INC.'S
AND
AFFIDAVIT OF PLAINTIFF'S COUNSEL**

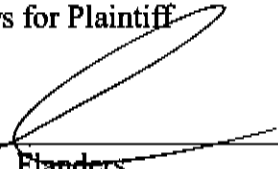
NOW COMES Plaintiffs, Eleanor and Joseph Guarino, by and through counsel,
and herby submit proof of service of process in the above-captioned matter pursuant to
Federal Rules of Civil Procedure Rule 4. Plaintiff states the following.

1. I, Albert Flanders, counsel for Plaintiff in the above captioned matter,
hereby state under the pains and penalties of perjury that I have made service upon
Defendants Wyeth Inc. and Wyeth Pharmaceuticals, Inc.'s in the manner prescribed by
the Federal Rules of Civil Procedure;

2. Plaintiff submits the following documents for filing in this matter:

- a. Defendant Wyeth Inc.'s Executed Waiver Of Service Of Process;
- b. Defendant Wyeth Pharmaceuticals, Inc.'s Executed Waiver Of
Service Of Process;

Respectfully submitted,
POLLACK & FLANDERS, LLP
Attorneys for Plaintiff



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Dated: November 16, 2005

TO: Michael E. Gallant, Esq.
Pollack & Flanders, LLP
2121 K Street, N.W., Suite 800
Washington, DC 20037

I acknowledge receipt of your request that I waive service of a summons in the action of Guarino v. Wyeth, Inc., et al., which is case number 05-11437 in the United States District Court for District of Massachusetts. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that Wyeth, Inc. be served with judicial process in the manner provided by Rule 4.

Wyeth, Inc. will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except of objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after date request was sent.

11/11/05
Date

William R. Murray Jr.
Signature ATTORNEY FOR
Wyeth and Wyeth Pharmaceuticals Inc.